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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/687,974	10/20/2003	Ronny Dewinter	7331	8664
7590 12/14/2004 SHLESINGER, ARKWRIGHT & GARVEY LLP 3000 South Eads Street			EXAMINER	
			SOOHOO, TONY GLEN	
Arlington, VA			ART UNIT	PAPER NUMBER
			1723	

DATE MAILED: 12/14/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)	$-\ell$
	10/687,974	DEWINTER, RONNY	
Office Action Summary	Examiner	Art Unit	
	Tony G. Soohoo	1723	
The MAILING DATE of this communication Period for Reply	n appears on the cover sheet wi	th the correspondence address	
A SHORTENED STATUTORY PERIOD FOR RITHE MAILING DATE OF THIS COMMUNICATION - Extensions of time may be available under the provisions of 37 CF after SIX (6) MONTHS from the mailing date of this communication. If the period for reply specified above is less than thirty (30) days, If NO period for reply is specified above, the maximum statutory period for reply within the set or extended period for reply will, by some Any reply received by the Office later than three months after the rearned patent term adjustment. See 37 CFR 1.704(b).	ON. FR 1.136(a). In no event, however, may a ron. a reply within the statutory minimum of thirt eriod will apply and will expire SIX (6) MON	eply be timely filed y (30) days will be considered timely. THS from the mailing date of this communication.	ation.
Status			
1) Responsive to communication(s) filed on 2	20 October 2003.		
	This action is non-final.		
3) Since this application is in condition for all	owance except for formal matte	ers, prosecution as to the merits	s is
closed in accordance with the practice und	ler <i>Ex parte Quayle</i> , 1935 C.D.	. 11, 453 O.G. 213.	
Disposition of Claims			
4)⊠ Claim(s) <u>1-21</u> is/are pending in the applica	tion.		
4a) Of the above claim(s) is/are with			
5) Claim(s) is/are allowed.			
6)⊠ Claim(s) <u>1-21</u> is/are rejected.			
7) Claim(s) is/are objected to.			
8) Claim(s) are subject to restriction ar	nd/or election requirement.		
Application Papers			
9)☐ The specification is objected to by the Exam	niner.		
10) The drawing(s) filed on is/are: a)		y the Examiner.	
Applicant may not request that any objection to	the drawing(s) be held in abeyand	e. See 37 CFR 1.85(a).	
Replacement drawing sheet(s) including the cor	rection is required if the drawing(s	i) is objected to. See 37 CFR 1.121	(d).
11)☐ The oath or declaration is objected to by the	Examiner. Note the attached	Office Action or form PTO-152.	
Priority under 35 U.S.C. § 119			
12)⊠ Acknowledgment is made of a claim for fore a)⊠ All b)□ Some * c)□ None of:	ign priority under 35 U.S.C. §	119(a)-(d) or (f).	•
1. ☐ Certified copies of the priority docum	ants have been received		
2. Certified copies of the priority docume	ents have been received. ents have been received in An	plication No	
3. Copies of the certified copies of the p	riority documents have been r	Prication No	
application from the International Bur	eau (PCT Rule 17.2(a)).	coored in this Hational Stage	
* See the attached detailed Office action for a	list of the certified copies not re	eceived.	
•			
Attachment(s) 1) Notice of References Cited (PTO-892)	, , ,		
2) Notice of Draftsperson's Patent Drawing Review (PTO-948)	Paper No(s)/I	nmary (PTO-413) Mail Date	
 Information Disclosure Statement(s) (PTO-1449 or PTO/SB/0 Paper No(s)/Mail Date 5 pgs total. 	08) 5) 🛄 Notice of Info	rmal Patent Application (PTO-152)	
S Patent and Trademark Office	6) Other:		

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DETAILED ACTION

Claim Rejections - 35 USC § 103

- 1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:
 - (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.
- 2. Claims 1-7, and 14-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Galinat et al 6550362 in view Sanders et al 5807458.

Galinat et al 6550362 (Galinat cited on PTO 1449) teaches the use of a chain package 12, 13, 13 with connective strips 14 as arrangement for a mechanized feed of cement additive material which is to fed above a mixer hopper 22.

The Galinat reference discloses all of the recited subject matter as defined within the scope of the claims with the exception of using packages made of a material which may disintegrate in mortar or concrete.

The reference to Sanders (cited on PTO 1449) discloses a reinforcement fiber packaging as seen in figure 2-5 in which the material enclosing a parallel, side by side, set of reinforcing filaments is made of a material which is dispersible, column 4, lines 15 through column 5, line 2; column 6, lines 34-63; column 7, lines 56-68, to prevent the fibers from being tangled during introduction, see claim 1 of Sanders.

In view of the teaching of Sanders that it is desirable to bound fiber material with a dispersible package, it is deemed that it would have been obvious to one of ordinary skill in the art to modify the material and fiber orientation of the reinforcing fibers and

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chain of packages to a side by side fiber arrangement and packaging material which is dispersive so that the fibers introduced by device is prevented from being entangled during the introduction of the fibers to the mixture.

With regards to the direction of the fibers in the sack itself, a person having ordinary skill in the art would have been obvious to one of ordinary skill in the art to orient the fiber direction to the length of the sack so that the length of the fiber provided may be optimized in length.

With regards to the use of steel fibers, the use of steel fibers, and polymer fibers as reinforcement fibers are old and well known functional equivalents in the art of cement production. Additionally, it has been held that to substitute material in the skill of a person having ordinary skill in the art. Accordingly, it is deemed that it would have been obvious to one of ordinary skill in the art to modify the fiber material used in the process so as to produce a more stronger concrete or to more effectively change the cost of production.

3. Claims 8-9, and 13, 20-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Galinat et al 6550362 in view of Robb 191616531 and Lewis 4798508.

Galinat et al 6550362 (Galinat cited on PTO 1449) teaches the use of a chain package 12, 13, 13 with connective strips 14 as arrangement for a mechanized feed of individual package cement additive material which is to fed above and into a mixer 22.

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The Galinat reference discloses all of the recited subject matter as defined within the scope of the claims with the exception of cutting open the packages and removing the package.

The Robb reference (cited on PTO 1449) discloses a device an method of operation for feeding material to a cement mixer including providing series of sacks of materials 30 along a conveyor to a position above a mixer G and whereby the package is cut by a cutter 28 to release the contents of the package into the mixer.

The reference to Lewis teaches that a bag may be emptied by cutting the bag and the bag may be removed from the feed stream by the use of the spikes 19 for disposal.

In view of the teaching of the Robb reference that in a cement mixer feed system that one may cut the feed container prior to dispensing into the mixer, and the teaching of the Lewis reference that a cut bag may be removed away from the feed stream, it is deemed that it would have been obvious to one of ordinary skill in the art to modify the steps of Galiant's invention to include cutting the bag and conveying away the package so that the material may be more easily dispensed into the mixer and to prevent the bag from entering the mixer so that the bag may be more easily dispensed.

4. Claims 10-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Galinat et al 6550362 in view of Robb 191616531 and Lewis 4798508 as applied to claim 8 above, and further in view of Sanders et al 5807458.

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The prior art to Galinat et al (Galinat) as modified above discloses all of the recited subject matter as defined within the scope of the claims with the exception of the use of having the fibers oriented in parallel position and in corresponding length to the length of the container.

The reference to Sanders (cited on PTO 1449) discloses a reinforcement fiber packaging as seen in figure 2-5 in which the material enclosing a parallel, side by side, set of reinforcing filaments is made of a material which is dispersible, column 4, lines 15 through column 5, line 2; column 6, lines 34-63; column 7, lines 56-68, to prevent the fibers from being tangled during introduction, see claim 1 of Sanders.

In view of the teaching of Sanders that it is desirable to bound fiber material with a dispersible package, it is deemed that it would have been obvious to one of ordinary skill in the art to modify the method of Galinat as modified such that the material and fiber orientation of the reinforcing fibers and chain of packages to a side by side fiber arrangement and packaging material which is dispersive so that the fibers introduced by device is prevented from being entangled during the introduction of the fibers to the mixture.

With regards to the direction of the fibers in the sack itself, a person having ordinary skill in the art would have been obvious to one of ordinary skill in the art to orient the fiber direction to the length of the sack so that the length of the fiber provided may be optimized in length.

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Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Nielsen 5285930, Hafner et al 4119227, Reider et al 6348093, and Berg et al 4946339.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tony G. Soohoo whose telephone number is (571) 272 1147. The examiner can normally be reached on 7:00 AM - 5:00 PM, Tues. - Fri..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wanda Walker can be reached on 571-272-1151. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Yony G Soohoo Primary Examiner Art Unit 1723

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